



General Assembly

January Session, 2011

Substitute Bill No. 963

* SB00963PD 041911 *

AN ACT CONCERNING LIABILITY FOR DAMAGE CAUSED BY A DOG.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-357 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 If any dog does any damage to either the body or property of any
4 person, the owner or keeper, or, if the owner or keeper is a minor, the
5 parent or guardian of such minor, shall be liable for [such damage]
6 damages, including, but not limited to, economic damages, sustained
7 by such person, except when such damage has been occasioned to the
8 body or property of a person who, at the time such damage was
9 sustained, was committing a trespass or other tort, or was teasing,
10 tormenting or abusing such dog. If a minor, on whose behalf an action
11 under this section is brought, was under seven years of age at the time
12 the damage was done, it shall be presumed that such minor was not
13 committing a trespass or other tort, or teasing, tormenting or abusing
14 such dog, and the burden of proof thereof shall be upon the defendant
15 in such action. For the purposes of this section, "property" includes,
16 but is not limited to, a companion animal, as defined in section 22-
17 351a, and "economic damages", with respect to a companion animal,
18 include, but are not limited to, expenses of veterinary care, the fair
19 monetary value of the companion animal and burial expenses for the
20 companion animal.

21 Sec. 2. Subsection (a) of section 22-355 of the general statutes is
 22 repealed and the following is substituted in lieu thereof (*Effective*
 23 *October 1, 2011*):

24 (a) When any person sustains damage by dogs to [his] such
 25 person's sheep, goats, horses, hogs, cattle, poultry or domestic rabbits
 26 kept in enclosures as described in subsection (f) of this section, such
 27 person shall report such damage to the chief administrative officer of
 28 the town in which such damage was sustained, or [his] the chief
 29 administrative officer's agent, or, if such damage was sustained on
 30 land located in two or more towns, [he] such person shall report such
 31 damage to such authority of either of such towns. [Thereupon such]
 32 Upon receiving such report, the authority, with the person claiming to
 33 have sustained such damage, shall estimate the amount of such
 34 damage, including expenses of veterinary care, the fair monetary value
 35 of the animals or poultry killed, injured or damaged by such dogs and
 36 burial expenses for the animals or poultry killed by such dogs. If such
 37 authority and the person claiming to have sustained such damage are
 38 unable to agree as to the amount thereof, they shall choose some
 39 disinterested third person to assist in estimating the damage.
 40 Information required by this subsection shall be given within twenty-
 41 four hours after the person claiming under this section has or should
 42 have had knowledge of the same or, if the intervention of a Sunday or
 43 holiday prevents the reporting thereof, on the next succeeding
 44 business day. No claim for such damages shall be allowed to any
 45 person (1) who owns, keeps or has in possession any unlicensed dog,
 46 (2) whose employee, living on the premises, keeps an unlicensed dog
 47 which is six months of age or over, or (3) who fails to report such
 48 damage within the time limited by this section. The burden of proving
 49 the allegations of any claim under this section shall be on the person
 50 claiming under this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	22-357
-----------	------------------------	--------

Sec. 2	October 1, 2011	22-355(a)
--------	-----------------	-----------

JUD *Joint Favorable Subst.-LCO*

PD *Joint Favorable*